REMARKS

Applicants respectfully request reconsideration of this application. Claims

1-27 were pending. Claim 13 has been amended. Claims 1-12 and 18-27 have

been canceled without prejudice. New claims 28-35 have been added. Claims

13-17 and 28-35 remain pending.

Claims 1, 2, 4, 5, 20-22 and 24 have been rejected under 35 U.S.C.

§102(e) as being unpatentable over U.S. Patent 5,903,730 to Asai et al.

(hereinafter "Asai"). Claims 1, 2, 4, 5, 20-22 and 24 have been canceled without

prejudice, thus obviating the rejection. Withdrawal of the rejection is respectfully

requested.

Claims 6-17 and 25-27 have been rejected under 35 U.S.C. §103(a) as

being unpatentable over Asai in view of U.S. Patent 5,384,906 to Horst,

(hereinafter "Horst"). Claims 6-12 and 25-27 have been canceled without

prejudice, thus obviating the rejection. Applicants respectfully traverse the

rejection on the remaining claims 13-17.

Claim 13 as amended sets forth:

> a plurality of processors, wherein one of the plurality of processors is
> operable to cause remaining processors of the plurality of processors to
> ***pause execution of a plurality of threads before initiating a frequency
> calculation thread*** on the one of the plurality of processor ***to prevent
> interrupting the frequency calculation thread***;

(Claim 13 as amended) (emphasis added)

In contrast, neither Asai nor Horst, alone or in combination, teaches the

above limitation. Asai merely discloses a run-time subroutine (#8) to summarize

the execution time data collected by the other run-time subroutines (#1 to #7).

Asai does not disclose pausing execution of the plurality of threads before

initiating a frequency calculation thread. Likewise, the other reference, Horst,

also fails to teach the above limitation.

According to Horst, each CPU has synchronizing means for halting the

execution of the processor instructions in its respective *instruction stream upon*

the respective event counter of such CPU reaching said overflow count (Horst,

col. 37, In. 9-13; emphasis added). First, Horst discloses halting execution of the

processor instructions in its respective instruction stream, not pausing execution

of threads. Horst does not even mention threads in its disclosure. Second, the

halting of the execution of the processor instructions in its respective *instruction*

stream is done *upon the respective event counter of such CPU reaching said*

overflow count, not *before initiating a frequency calculation thread* on the one of

the plurality of processor *to prevent interrupting the frequency calculation*

thread. The event counter of the CPU reaching the overflow count is irrelevant to

initiating a frequency calculation thread on another processor and preventing

interruption to the frequency calculation thread. Therefore, Horst fails to teach at

least the above limitation of claim 13 as amended.

Because neither Asai nor Horst, alone or in combination, teaches all limitation

of claim 13 as amended, claim 13 is patentable over Asai in view of Horst.

Withdrawal of the rejection is respectfully requested.

Claims 14-17 depend, directly or indirectly, from claim 13, and thus, are

patentable over Asai in view of Horst. Withdrawal of the rejection is respectfully

requested.

New claims 28-35 have been added without introducing any new matter. It is

respectfully submitted that new claims 28-35 are novel and patentable over the art of

record. Applicants wish to briefly discuss new claims 28-35 with respect to Asai and

Horst. New claim 28 sets forth:

> preparing to initiate a frequency calculation thread on one processor of a plurality of processors in a data processing system, said preparing comprising
> **pausing execution of a plurality of threads on remaining processors of the plurality of processors to prevent interrupting the frequency calculation thread;**

(Claim 28) (emphasis added)

In contrast, neither Asai nor Horst, alone or in combination, teaches the

above limitation. Asai merely discloses a run-time subroutine (#8) to summarize

the execution time data collected by the other run-time subroutines (#1 to #7).

Asai does not disclose pausing execution of a plurality of threads on remaining

processors of the plurality of processors to prevent interrupting the frequency

calculation thread. Likewise, Horst fails to teach the above limitation.

According to Horst, each CPU has synchronizing means for halting the

execution of the processor instructions in its respective *instruction stream upon*

the respective event counter of such CPU reaching said overflow count (Horst,

col. 37, ln. 9-13; emphasis added). First, Horst discloses halting execution of the

processor instructions in its respective instruction stream, not pausing execution

of threads. Horst does not even mention threads in its disclosure. Second, the

halting of the execution of the processor instructions in its respective *instruction*

stream is done *upon the respective event counter of such CPU reaching said*

overflow count. Horst does not teach pausing execution of a plurality of threads on

remaining processors of the plurality of processors **to prevent interrupting the**

frequency calculation thread. The event counter of the CPU reaching the overflow count is irrelevant to initiating a frequency calculation thread on another processor and preventing interruption to the frequency calculation thread. Therefore, Horst fails to teach at least the above limitation of claim 28 as well.

Because neither Asai nor Horst, alone or in combination, teaches the limitation of claim 28 set forth above, claim 28 is novel and patentable over Asai in view of Horst. Allowance of claim 28 is earnestly solicited.

For the reason discussed above with respect to claim 28, new claim 32 is novel and patentable over Asai in view of Horst. New claims 29-31 and 33-35 depend from claims 28 and 32, respectively. Thus, claims 29-31 and 33-35 are novel and patentable over Asai in view of Horst. Allowance of claims 29-35 is earnestly solicited.
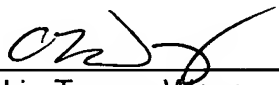
CONCLUSION

Applicants respectfully submit that the rejections have been overcome by the remarks and the amendments. Accordingly, Applicants respectfully request the rejections be withdrawn.

Pursuant to 37 C.F.R. §1.136(a)(3), Applicants hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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